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Date: Feb 2, 2007

By:

Winsome St Rose

Winsome St Rose

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Gregor Sagner, et al

)

) EXAMINER: Unassigned

SERIAL NO.: 10/678,440

) ART UNIT: 1623

FILED: October 1, 2003

) Confirmation No. 1058

FOR: IMPROVED FRET PROCESS

) DOCKET NO. 21428-US

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Disclosures  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure requirements of 37 C.F.R. §1.56 1.97 and 1.98, Applicants submit herewith a Form-1449, listing accompanying documents which may be material to the examination of this application.

This Information Disclosure Statement is being filed before the believed mailing date of the first Office action on the merits.

Accordingly, no fee is believed due. The Commissioner is however authorized to charge deposit account no. 50-0812 for any fee deficiency, or credit the account for any overpayment.

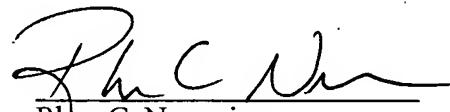
Applicants wish to provide the USPTO with copies of US Patent No. 4,996,143 which is the equivalent to Japanese Patent 62-157570, US Patent No. 6,849,745, which is equivalent to Japanese Patent No. 10-88124, WO 93/09128, which is equivalent to Japanese Patent 7-502992, and WO 95/21266, which is equivalent to Japanese Patent 9-508525.

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested.

Respectfully submitted,

Date: 2/1/07



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Substitute for Form 1449/PTO			<i>Complete if known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <b>3<sup>rd</sup> SUPPLEMENTAL</b> <b>PTO-1449</b>			Application Number	10/635,171
			Filing Date	August 6, 2003
			First Named Inventor	Dieter Heindl
			Group Art Unit	1634
			Examiner Name	Amanda Marie Shaw
			Attorney Docket No.	21339-US
1	Of	1	Date Submitted	Even date herewith

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, lines Where relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
1		4,996,143		Heller, et al.	02-26-91	
2		6,849,745	B2	Lee, et al.	02-01-05	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, lines Where relevant Passages or Relevant Figures Appear	T
		Country Code	Number	Kind Code				
3	PCT	WO 93/09128			Nantronics, Inc	05-13-93		
4	PCT	WO 95/21266			Regents of the U of California	08-10-95		
5	PCT	WO 99/55913			Sidney Kimmel Cancer Center	11-04-99		
6	JP	62-240864 <sup>1</sup>			Syngene, Inc.	10-21-87		
7	JP	7-502992 <sup>2</sup>			Nantronics, Inc	03/30/95		
8	JP	10-88124			Applera Corporation	04/07/98		
9	JP	9-5085525			Regents of the U of California	09-02-97		

**OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the items (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published	T
	10	MASUKO, M., et al, 2000, "Fluorescence resonance energy transfer from pyrene to perylene labels for nucleic acid hybridization assays under homogeneous solution conditions", <i>Nucleic Acids Research</i> , <b>28</b> (8): 1-8	
	11	MERGNY, J., et al, 1994, "Fluorescence energy transfer as a probe for nucleic acid structures and sequences", <i>Nucleic Acids Research</i> , <b>22</b> (6): 920-928	

Examiner's Signature	Date Considered
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.